

FILED '11 JUL 6 12:30USDC-ORM

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

DANIEL WARD WILLIAMS,
Petitioner,

Case No. 1:09-cv-00532-CL

v.

DON MILLS,
Respondent.

ORDER

PANNER, District Judge:

Magistrate Judge Mark D. Clarke filed a Report and Recommendation, and the matter is now before this court. See 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b). Although no objections have been filed, this court reviews the legal principles *de novo*. See Lorin Corp. v Goto & Co., Ltd., 700 F.2d 1202, 1206 (9th Cir. 1983).

I have given this matter *de novo* review. Even assuming petitioner exhausted state remedies on his three claims, petitioner has failed to show that he was prejudiced by pre-

indictment delay, that the admission of hearsay evidence at trial violated any federal right, or that his trial counsel was ineffective for failing to call two witnesses. I ADOPT the Report and Recommendation of Magistrate Judge Clarke.

CONCLUSION

Magistrate Judge Clarke's Report and Recommendation (#26) is adopted. The petition (#2) is dismissed.

IT IS SO ORDERED.

DATED this 5 day of July, 2011.

A handwritten signature in black ink, appearing to read "Owen M. Panner", written over a horizontal line.

OWEN M. PANNER
U.S. DISTRICT JUDGE